



Office of the City Engineer

20 North 6<sup>th</sup> Street, Lafayette, Indiana 47901-1412  
Phone 765-807-1050

**AGREEMENT FOR UTILITY SERVICE  
SUBARU OF INDIANA AUTOMOTIVE, INC.  
SIA LOGISTICS CENTER  
5600 HAGGERTY LANE**

Pursuant to the attached conditions for utility service consisting of six (6) pages, the City of Lafayette agrees to provide water supply service to and to accept sanitary sewage from a proposed 83.474± acre commercial/industrial development site known as SIA Logistics Center, located at 5600 Haggerty Lane. (Described on Exhibit A attached hereto.) The implementation plan for this development anticipates that the development will be done in two phases with Cost Recovery Fees paid pursuant to the acreage of each phase as each phase is initiated.

City of Lafayette  
Board of Public Works and Safety

\_\_\_\_\_  
Gary D. Henriott, President

\_\_\_\_\_  
Amy Moulton, Member

\_\_\_\_\_  
Norman D. Childress, Member

\_\_\_\_\_  
Ronald Shriner, Member

\_\_\_\_\_  
Cindy Murray, Member

ATTEST:

Date: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

Owner/Developer:  
Subaru of Indiana Automotive, Inc

R. Scott Brand

Date: 3-9-2022

R. Scott Brand, Executive Vice President

STATE OF INDIANA )  
 ) SS:  
COUNTY OF TIPPECANOE )

Before me the undersigned, a Notary Public for the County of Tippecanoe, State of Indiana, personally appeared Gary D. Henriott, President of the Lafayette Board of Public Works and Safety, Norman D. Childress, Board Member, Cindy Murray, Board Member, Amy Moulton, Board Member, and Ronald Shriner, Board Member and acknowledged the execution of the foregoing instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
\_\_\_\_\_  
Notary Public  
Resident of \_\_\_\_\_ County

My Commission Expires: \_\_\_\_\_

STATE OF INDIANA )  
 ) SS:  
COUNTY OF TIPPECANOE )

Before me the undersigned, a Notary Public for the County of Tippecanoe, State of Indiana, personally appeared R. Scott Brand, Executive Vice President of Subaru of Indiana Automotive, Inc., who acknowledged the execution of the foregoing Agreement for Utility Service this 9<sup>th</sup> day of March, 2022.

Dione M. Finney  
Dione M. Finney Notary Public  
Resident of Boone County

My Commission Expires: Nov 5, 2023



## Exhibit 'A'

### Legal Description:

A portion of the property of Guthrie E. Carr,  
As Trustee of the Carr Family Land Trust No. 1994-1  
Part of Instrument Number 9423811

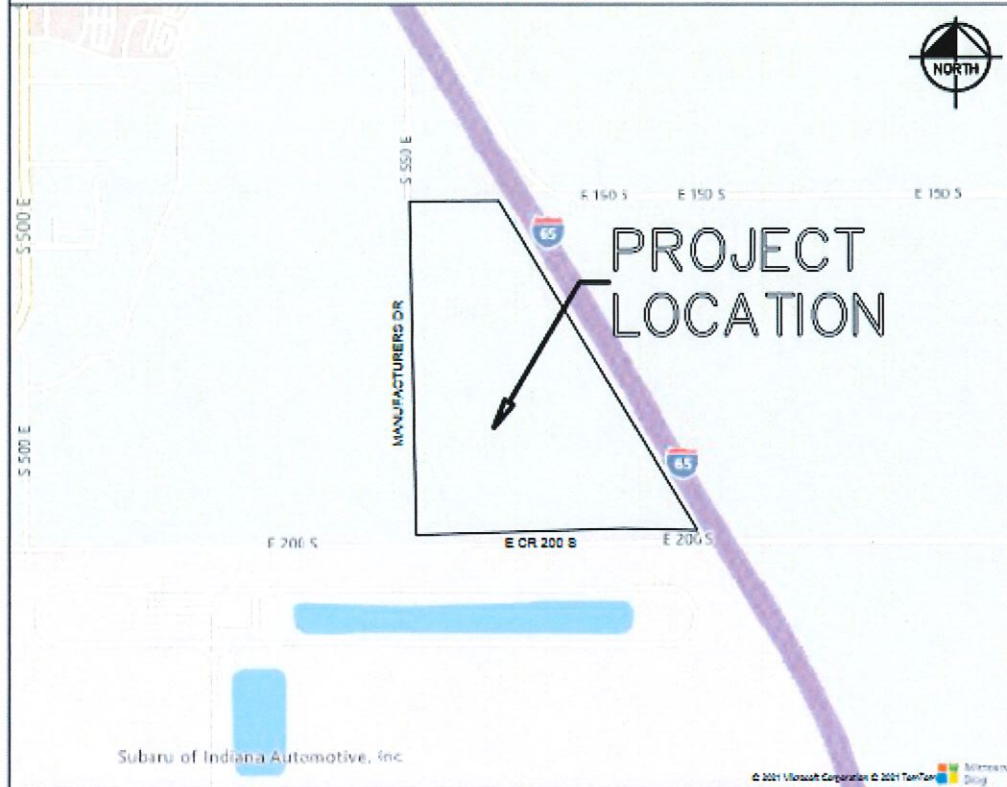
Part of the Southeast Quarter of Section 31, Township 23 North, Range 3 West of the Second Principal Meridian, Perry Township, Tippecanoe County, Indiana, also being a portion of the property as granted to Guthrie E. Carr, As Trustee of the Carr Family Land Trust No. 1994-1 ("Carr Tract") recorded as Instrument Number 9423811 in the Office of the Recorder of Tippecanoe County, Indiana, more particularly described as follows:

Commencing at the Southwest Corner of said Southeast Quarter; thence North 00 degrees 34 minutes 22 seconds West (Basis of Bearings: Indiana State Plane, West Zone, NAD 83) 94.64 feet along the West Line of said Southeast Quarter to its intersection with the northern right-of-way line of East County Road 200 South (recorded as Instrument Number 89-03032 in said Recorder's Office), being coincident with the southern right-of-way line of Manufacturers Drive (recorded as part of Final Plat, Lot 1 in 165 Industrial Park Subdivision in Plat Book 10, Page 3, as Instrument Number 201919001165 in said Recorder's Office); thence North 88 degrees 48 minutes 01 seconds East 30.00 feet along said common right-of-way lines to the southeastern corner of the right-of-way of said Manufacturers Drive and the POINT OF BEGINNING of this description; thence North 00 degrees 34 minutes 22 seconds West 1527.92 feet parallel with said West Line and along the eastern right-of-way of Manufacturers Drive to the northeastern corner thereof; thence South 89 degrees 24 minutes 41 seconds West 30.00 feet along the northern right-of-way line of said Manufacturers Drive to said West Line; thence North 00 degrees 34 minutes 22 seconds West 1094.10 feet along said West Line to the Northwest Corner of said Southeast Quarter; thence North 89 degrees 34 minutes 25 seconds East 519.48 feet along the North Line of said Southeast Quarter; thence South 00 degrees 25 minutes 35 seconds East 80.00 feet perpendicular to said North Line; thence North 89 degrees 34 minutes 25 seconds East 218.37 feet parallel with said North Line to the western right-of-way line of Interstate 65 (per Indiana State Highway Right-of-Way Plans, I-Project Number 65-6 (9)168 R/W, Code 0656); thence South 31 degrees 10 minutes 46 seconds East 2887.33 feet along said western right-of-way line to the northern right-of-way line of said East County Road 200 South as granted to the City of Lafayette, Indiana and County of Tippecanoe, Indiana ("Parcel No. 1") (recorded as Instrument Number 89-03032 in said Recorder's Office) (the following three courses are along the northern boundary of said Parcel No. 1); (one) North 88 degrees 33 minutes 39 seconds West 570.14 feet (571.28 feet - deed); (two) South 88 degrees 10 minutes 47 seconds West 1600.38 feet; (three) South 88 degrees 48 minutes 01 seconds West 5.07 feet to the POINT OF BEGINNING, containing 83.474 acres, more or less.



## LOCATION MAP

(NOT TO SCALE)



## TIPPECANOE COUNTY

CONSTRUCTION OF A  $\pm 500,000$  SF INDUSTRIAL WAREHOUSE FOR CARR  
PROPERTY ON  $\pm 83.601$  AC. PROJECT IS IN SECTION 11 OF T22N, R4W IN  
THE CITY OF LAFAYETTE, TIPPECANOE COUNTY, INDIANA

## CONDITIONS FOR UTILITY SERVICE

1. Acceptance of the conditions in the attached Statement of Policy for Utility Service. (Dated March 25, 1999)
2. The Owner/Developer shall provide all easements necessary to provide utility (water, sanitary sewer and storm sewer) service at no cost to the City of Lafayette.
3. The implementation plan for this development anticipates that the development will be done in two phases with the balance of the Cost Recovery Fees then due being paid pursuant to the acreage of each phase as each phase is initiated.
4. Payment of the Cost Recovery Fees, pursuant to the Cost Recovery Fee Summary Sheet dated February 7, 2022 attached hereto and a part hereof.

### 5.1 WATER SUPPLY

Existing watermains are located near the proposed development and have sufficient size and capacity to serve said development. The City of Lafayette has previously constructed water supply facilities, storage facilities and distribution mains to serve this general area.

Water service shall be provided for the project at one (1) point of connection:

1. 24"Ø water main along the south side of C.R. 200 South at the southwestern corner of the property to the east of Manufacturer's Drive.

Local watermains throughout the proposed development shall be maintained at 8"Ø minimum with the exception of limited duty mains which may be sized 6"Ø.

In recognition of prior construction of primary water supply, storage and distribution mains by the City of Lafayette to serve this general area, the Owner/Developer agrees to pay to said City a Water Cost Recovery Fee in the amount of \$1,311 per acre of platted development.

## SUMMARY OF COSTS AND PAYMENTS

### Water Supply

Payment due upon the execution of a Utility Service Agreement and/or any addendum to the Utility Service Agreement equals Phase 1 acreage times the appropriate fee. (Phase 1 Acreage x Fee)

The remaining balance of the Water Cost Recovery Fee for Phase 2 will be due and payable at time of application for a sewer permit for Phase 2 and will equal the following: Phase 2 acreage times the appropriate fee. (Phase 2 Acreage x Fee)

All construction shall be subject to all applicable City standards as noted elsewhere in this Utility Service Agreement.

Upon completion, all watermains shall be accepted by the City of Lafayette as public watermains without residual obligation to the Owner/Developer.

No additional tap or cost recovery fees are required from the Owner/Developer for said water service save those fees provided for and required under City ordinance.

## 5.2 SANITARY SEWER

Existing sanitary sewer systems are located near the development and have sufficient size and capacity to serve said development. The City of Lafayette has previously constructed sewage lift stations, forcemains and interceptor sewers to serve this general area.

Sewer service connection shall be provided at four (4) points of connection.

1. Three (3) points of connection to a 12" Ø sanitary sewer along Manufacturer's Drive at the west side of the property.
2. One (1) point of connection to a 30" Ø sanitary sewer along C.R. 200 South.

In recognition of prior and current construction of sewage lift stations, forcemains and interceptor sewers by the City to serve this general area, the Owner/Developer agrees to pay to said City a Wastewater Cost Recovery Fee in the amount of \$5,945 per acre of platted development.

SUMMARY OF COSTS AND PAYMENT  
Sanitary Sewer Service

Payment due upon the execution of a Utility Service Agreement and/or any addendum to the Utility Service Agreement equals Phase 1 acreage times the appropriate fee. (Phase 1 Acreage x Fee)

The remaining balance of the Water Cost Recovery Fee for Phase 2 will be due and payable at time of application for a sewer permit for Phase 2 and will equal the following: Phase 2 acreage times the appropriate fee. (Phase 2 Acreage x Fee)

All construction shall be subject to all applicable City standards as noted elsewhere in this Utility Service Agreement.

Upon completion, all sanitary sewers shall be accepted by the City of Lafayette as public sanitary sewers without residual obligation to the Owner/Developer.

No additional tap or Cost Recovery Fees are required from the Owner/Developer for said sewer service save those fees provided for and required under City ordinance.



## **STATEMENT OF POLICY UTILITY SERVICE**

**March 25, 1999**

This document is prepared as a general statement of policy for connection to the water and wastewater systems of the City of Lafayette. Unusual or extra-ordinary service conditions may justify additional and/or alternative requirements.

No utility service, water or wastewater, will be provided until all technical and monetary matters have been satisfied.

### **Sanitary Sewers**

1. Provision of wastewater service is conditioned on the acceptance and usage of the City water system where such waterlines are within reasonable connection distance.
2. All sanitary sewers proposed for connection to the City of Lafayette system shall be constructed of the highest quality state-of-the-art materials, built with sound construction practices in accordance with City of Lafayette Typical Construction Guidelines and Details (current version), Ordinance 85-21 as amended, and Ten States Standards, all to the acceptability of the Board of Public Works & Safety.
3. Private sanitary sewers are not generally permitted. Connection may be allowed for such sewers per direction of the Board of Public Works & Safety.
4. Application for connection to the sanitary sewer shall be initiated at the Office of the Lafayette City Engineer.
5. All required technical data, design documents, plans and specifications, permits, and approvals shall be delivered to and acknowledged by the Office of the Lafayette City Engineer prior to the initiation of construction by the developer.
6. Payment of sewer permit fees, Cost Recovery Fees and/or Wastewater Agreement Fees shall be made to the City prior to the issuance of a sewer connection (tap) permit.
7. Resolution of all items relating to Stormwater Management must be achieved prior to issuance of a sewer connection (tap) permit.
8. Notification of the Water Pollution Control Department-Sewers Section is required prior to initiation of construction activity and prior to connection the system.



## **Water**

1. Provision of water service is conditioned to the acceptance and usage of the City wastewater system where such sewer lines are within reasonable connection distance.
2. All waterlines proposed for connection to the City of Lafayette system shall be constructed of the highest quality state-of-the-art materials, built with sound construction practices in accordance with City of Lafayette Typical Construction Guidelines and Details (current version), Ordinance 1279 as amended, and Ten States Standards, all to the acceptability of the Board of Public Works & Safety.
3. Private waterlines, with appurtenances, are not generally permitted. Connection may be allowed for such waterlines per direction of the Board of Public Works and Safety.
4. Application for connection to the water distribution system shall be initiated at the Office of the Lafayette City Engineer.
5. All required technical data, design documents, plans and specifications, permits, and approvals shall be delivered to and acknowledged by the Office of the Lafayette City Engineer prior to the initiation of construction by the developer.
6. Payment of waterline tap fees, meter fees, Cost Recovery Fees and/or other agreement fees shall be made to the City prior to the issuance of a waterline connection permit.
7. Resolution of all items relating to Stormwater Management must be achieved prior to issuance of a waterline connection (tap) permit.
8. Notification of the Water Department is required prior to initiation of construction activity and prior to connection to the system.

EXHIBIT 'B'

**COST RECOVERY FEE SUMMARY SHEET**  
**SIA Logistics Center**  
**5600 Haggerty Lane**

**February 7, 2022**

Project Title: SIA Logistics Center

Project Acreage: 83.474± (Less 9 ac for pond = 74.474 ac)

Number of Phases: 2

Schedule of Fees:

I. Total Charges:

Water Fee	(\$1,311 x 74.474 acres)=	\$97,635	(18%)
Wastewater Fee	(\$5,945 x 74.474 acres)=	<u>\$442,748</u>	(82%)
Total		\$540,383	100%

II. **Phase 1 = 46.474 acres:**

100% payment due at time of execution of Utility Service Agreement  
46.474 acres x \$7,256 = \$337,215

Water Fee	=	\$60,927
Wastewater Fee	=	<u>\$276,288</u>
Total Due for Phase 1		\$337,215

II. **Phase 2 = 28 acres:**

100% due at time of application for Phase 2 Sewer Permit  
28 acres x \$7,256 = \$203,168

Water Fee	=	\$36,708
Wastewater Fee	=	<u>\$166,460</u>
Total Due for Phase 2		\$203,168

# UTILITY COST RECOVERY FEE WORKSHEET

Project Title: SIA Logistics Center Date: 2/7/2022

Project Location: 5600 Haggerty Lane

Total Platted Acreage: 74.474 Ac. (per Legal Description) No. of Lots: 1

Service Area in which Proposed Project is located: (See Map) 6

A. Total Average Flow from IDEM Design Summary: \_\_\_\_\_ gpd

B. Acreage flow: A. = \_\_\_\_\_ gpd per Ac.  
Platted Acreage

C. Flow Multiplier: B. - 2000 = \_\_\_\_\_  
(Use 0 if less than 0) 2000 gpd per Acre

## WASTEWATER RECOVERY FEE WORKSHEET

1. Base Fee	<u>\$2,165</u>
2. Service Area Fee	<u>\$3,780</u>
3. Flow Rate Adjustment: [C. x (1.+2.)]	= _____
4. Recovery Fee per Acre: (Sum of 1.+2.+3.)	= <u>\$5,945</u>
5. Total Wastewater Recovery Fee (4. x Total Platted Acreage)	<u>\$5,945</u> x <u>74.474</u> = <u>\$442,748</u>

### Service Area Fee Schedule

Service Area 1 -	\$2,583
Service Area 2 -	\$4,284
Service Area 2A -	\$5,448
Service Area 2B -	\$7,094
Service Area 2C -	\$984 /S.F. Service
Service Area 3 -	\$2,245
Service Area 3A -	\$3,814
Service Area 3B -	\$2,456
Service Area 4 -	\$1,988
Service Area 5 -	\$1,327
Service Area 6 -	\$3,780
Service Area 6A -	\$4,853
Service Area 7 -	\$2,212
Service Area 8 -	\$2,298
Service Area 9 -	\$1,988
Service Area 9A -	\$3,918
Service Area 10 -	\$1,473
Service Area 11 -	\$3,932
Service Area 11A -	\$1,570
Service Area 11B -	\$3,073
Service Area 11C -	
Service Area 12 -	\$1,473
Service Area 13 -	\$2,294
Service Area 14 -	\$3,043
Service Area 15 -	--
Service Area 15A -	\$3,838
Service Area 16 -	\$3,073
Service Area 17 -	\$5,000 *
Service Area 18A -	\$6,796 *
Service Area 18B -	\$7,560 *
Service Area 18C -	\$3,841 *
Service Area 18D -	\$7,647 *
Service Area 19 -	\$3,550 /S.F. Service*

## WATER RECOVERY FEE WORKSHEET

1. Base Fee	<u>\$941</u>
2. Service Area Fee	<u>\$370</u>
3. Flow Rate Adjustment: [C. x (1.+2.)]	= _____
4. Recovery Fee per Acre: (Sum of 1.+2.+3.)	= <u>\$1,311</u>
5. Total Water Recovery Fee (4. x Total Platted Acreage)	<u>\$1,311</u> x <u>74.474</u> = <u>\$97,635</u>

### Service Area Fee Schedule

Service Area 1 -	--
Service Area 2 -	\$21
Service Area 2A -	\$21
Service Area 2B -	--
Service Area 2C -	--
Service Area 3 -	--
Service Area 3A -	\$671
Service Area 3B -	\$905
Service Area 4 -	\$88
Service Area 5 -	--
Service Area 6 -	\$370
Service Area 6A -	\$282
Service Area 7 -	\$312
Service Area 8 -	\$254
Service Area 9 -	\$83
Service Area 9A -	\$123
Service Area 10 -	\$75
Service Area 11 -	\$103
Service Area 11A -	\$130
Service Area 11B -	\$75
Service Area 11C -	--
Service Area 12 -	\$75
Service Area 13 -	\$1,331
Service Area 14 -	--
Service Area 15 -	\$2,419
Service Area 15A -	\$6,430
Service Area 16 -	\$103
Service Area 17 -	*
Service Area 18A -	*
Service Area 18B -	*
Service Area 18C -	*
Service Area 18D -	*
Service Area 19 -	*

\* No Base Fee required for this Service Area.

\*\* Revision of Service Area Fee pending.



**WASTEWATER RECOVERY FEE WORKSHEET (cont'd)**

Service Area 20 -	*
Service Area 20A -	\$240 *
Service Area 21 (P,R,S,T,I,J,N,Q) -	\$7,093 *
Service Area 21 (Other Areas)±-	\$708 *
Service Area 22 -	
Service Area 23 -	\$7,315 /SF Service*
Service Area 24 -	\$6,713 /SF Service*
Service Area 25 -	
Service Area 26 -	\$7,113 /SF Service*

**WATER RECOVERY FEE WORKSHEET (cont'd)**

Service Area 20 -	\$1,271 *
Service Area 20A -	\$1,561 *
Service Area 21 (P,R,S,T,I,J,N,Q) -	\$4,710 *
Service Area 21 (Other Areas)±-	\$518 *
Service Area 22 -	\$3,632 /SF Service*
Service Area 23 -	\$5,174 /SF Service*
Service Area 24 -	\$7,032 /SF Service*
Service Area 25 -	\$2,636 *
Service Area 26 -	\$4,397 /SF Service*

± (Other Areas for Service Area 21 subject to additional fees + fees noted above are areas known as A,B,C,D,E,F,G,H,K,L,M, & O)

**STORMWATER COST RECOVERY FEES**

1.	Greenbush Pond Watershed -	\$12,500 / Acre Foot of Storage
2.	Wilson Branch Reservoir Watershed -	\$9,339 / Acre Foot of Storage
3.	Coleman Drain Watershed	\$7,384 / Acre + Greenbush Pond Storage Charge
4.	Southside Drainage Watershed	\$7,086 / Acre
5.	Kirkpatrick Legal Drain Reconstruction	\$2,525 / Acre
6.	C.R. 500 East & McCarty Lane Stormwater Improvements	\$7,088 / Acre
7.	Gannett Storm Sewer Extension	\$13,199 / Acre
8.	Sagamore North Pond / Storm System	\$13,224 / Acre
9.	Old Romney Road Pond / Storm System	\$31,375 / Acre

**MISCELLANEOUS COST RECOVERY FEES****I. WATERMAINS**

Creasy Lane area between Creasy Court  
and State Road 38

\$850 / Acre of Platted Acreage

\* No Base Fee required for this Service Area.

\*\* Revision of Service Area Fee pending.

01/26/2021- R11